NOTICE OF COMPLETION OF PROCEEDINGS OF VACATION OF EASEMENT FOR UTILITY PURPOSES IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on July 7, 1980, adopted a Resolution Vacating Utility Easement, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for utility purposes, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

The East 5 feet of Lot 11, Block 3, "Edenbrook", except as to the North 5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edenbrook", except as to the North 5 feet thereof; also known as

The five feet on each side of the lot line dividing Lot 11 and Lot 12, Block 3, "Edenbrook" which lies South of the North five feet of Lots 11 and 12;

Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

The time of completion of proceedings and the effective date of said vacation is July 8, 1980.

Dated this 23rd day of July, 1980.

BY ORDER OF THE CITY COUNCIL CITY OF EDINA

Florence B. Hallberg City Clerk, City of Edina STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

I, the undersigned, being the duly qualified and acting City Clerk of the City of Edina, Minnesota, do hereby certify that I have compared the attached and foregoing extract of minutes with the original minutes on file and of record in my office, and that the same is a full, true, and correct transcript of the minutes of a meeting of the City Council of said City duly called and held on the date therein indicated as far as such minutes relate to the vacation of an easement in Lots 11 and 12, Block 3, Edenbrook.

WITNESS my hand and seal of said City this 8th day of August, 19 80.

Flance 3 - Hackberg.
City Clerk

LOT 7, MIRROR LAKES, MEADOW WOOD SECOND ADDITION EDINA HIGHLANDS, APPEAL FROM BOARD OF APPEALS AND ADJUSTMENTS HEARING DATE SET. As recommended by Mr. Hughes. Councilman Courtney's motion was seconded by Councilman Bredesen, setting July 21, 1980, as hearing date for an appeal from a Board of Appeals and Adjustments decision relative to a lot depth variance and front yard setback variance for property located at 5908 Vernon Ave. (Lot 7, Mirror Lakes, Meadow Wood Second Addition Edina Highlands).

Ayes: Bredesen, Courtney, Richards, Schmidt, Van Valkenburg

Nays: None . Motion carried.

HEARING DATES SET FOR PRELIMINARY PLAT APPROVAL FOR HANSON ESTATES AND MARTIN'S FIRST ADDITION. As recommended by Mr. Hughes, Councilman Bredesen's motion was seconded by Councilman Courtney, setting July 21, 1980, as hearing date preliminary plat approval for Hanson Estates and Marten's First Addition.

Ayes: Bredesen, Courtney, Richards, Schmidt, Van Valkenburg

Nays: None Motion carried.

LOT 1, BLOCK 1, AND OUTLOT A, LOWE'S FIRST ADDITION BASEMENT VACATION APPROVED. Affidavits of Notice were presented by Clerk, approved as to form and ordered placed on file. Mr. Hoffman presented the petition of Winfield Developments for vacation of a utility easement located in Lot 1, Block 1 and Outlot A, Lowe 1st Addition, and advised that the petitioner has agreed to furnish new easements without cost to Northwestern Bell Telephone Company, Minnesota Gas Company and the City of Edina. No objections being heard, Councilman Richards offered the following resolution and moved its adoption:

RESOLUTION
VACATING EASEMENT FOR UTILITY PURPOSES

WHEREAS, a resolution of the City Council, adopted the 16th day of June, 1980, fixed a date for a public hearing on a proposed vacation of easement for utility purposes; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 7th day of July, 1980, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacation be made: and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto; NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described portion of the utility easement be and is vacated effective upon receipt of new utility easements, in recordable form, duly executed and delivered without cost to the City of Edina, Northwestern Bell Telephone Company or Minnesota Gas Company:

That portion of vacated Valley View Road, formerly Hennepin County Road 39 located in the North 1/2 of Section 7, Township 116, Range 21 and 66 feet in width, lying between the Southerly extension of the East line of Washington Ave. and the West right-of-way line of Hennepin County Road No. 18.

Motion for adoption of the resolution was seconded by Councilwoman Schmidt.

Rollcall:

Ayes: Bredesen, Courtney, Richards, Schmidt, Van Valkenburg

Nays: None

Resolution adopted.

LOTS 11 AND 12, BLOCK 3, EDINBROOK EASEMENT VACATED. Mr. Hoffman advised that at the time the property was replatted, the easement over Lots 11 and 12, Block 3, Edinbrook, was not removed as it should have been. As recommended by Mr. Hoffman, Councilman Bredesen offcred the following resolution and moved its adoption:

RESOLUTION VACATING UTILITY EASEMENT

WHEREAS, a resolution of the City Council, adopted the 16th day of June, 1980, fixed a date for a public hearing on a proposed vacation of easement for utility purposes; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the 7th day of July, 1980, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and WHEREAS, the Council deems it to be in the best interest of the City and of the public that said easement vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation to continue maintaining the same, or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove or otherwise attend thereto; NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described portion of the utility easement be and is hereby vacated effective as of July 8, 1980:

be and is hereby vacated effective as of July 8, 1980:

The East 5 feet of Lot 11, Block 3, "Edinbrook", except as to the North

5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edinbrook", except

as to the North 5 feet thereof; also known as

The five feet on each side of the lot line dividing Lot 11 and Lot 12, Block 3, "Edinbrook" which lies South of the North five feet of Lots 11 and 12;

Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

Motion for adoption of the resolution was seconded by Councilman Courtney.

Rollcall:

Ayes: Bredesen, Courtney, Richards, Schmidt, Van Valkenburg

Nays: None Motion carried.

SAND FOR VARIOUS PARKS BID AWARDED. Mr. Rosland presented tabulation of two bids for sand to be used under playground equipment at Braemar, Pamela, Beard and York Parks. Tabulation showed W. G. Pearson, Inc., at \$3,120.00 for 800 tons, with Hedberg & Sons bidding \$4,000.00 for 800 tons. Councilwoman Schmidt's motion for award to recommended low bidder, W. G. Pearson, Inc., at \$3,120.00 was seconded by Councilman Richards.

Ayes: Bredesen, Courtney, Richards, Schmidt, Van Valkenburg

Nays: None Motion carried.

INDUSTRIAL REVENUE BOND GUIDELINES REFERRED BACK TO CITY ATTORNEY. Mr. Rosland referred to a draft of guidelines submitted by the City Attorney for consideration of requests for financing projects with industrial development revenue bonds and advised Council that Cherne Industrial, Inc. is not pursuing its application for industrial revenue bonds at this time. Following discussion, it was informally decided that the Council should submit their individual lists of concerns to the City Attorney to aid him in revising guidelines for future consideration.

WOODDALE SCHOOL STUDY COMMITTEE TO BE APPOINTED. Mr. Rosland recalled that he had met with the Mayor, Mr. George Hite and Dr. Ralph Lieber to discuss a study committee for Wooddale School and presented a resolution for Council's consideration which is also being presented to the School District. Councilman Bredesen then offered the following resolution and moved its adoption, with the recommendation that a member of the Edina Historical Society also be appointed to the committee:

RESOLUTION

BE IT RESOLVED that the City of Edina make its intent known to keep Wooddale School within public domain; and, in keeping with that objective, establish the Wooddale Use Community Committee to identify implementable and practical uses of the building that are both cost effective and responsive to community concerns.

The Committee's charge:

1. Identify possible public uses of the building and its site.

2. Determine cost implications of operating the building as something other than a school. Revenues, expenditures, and building maintenance should be included in this analysis.

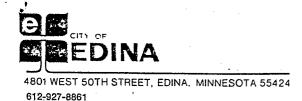
3. Establish the responsible party(s) for care and maintenance of the facility, i.e., the City, the School District, other.

4. Work with residents of the Wooddale community to ascertain interest and level of acceptance of the committee's recommendation(s).

5. Present recommendation(s) to the Board of Education and City Council during the month of September, 1980.

The Committee's membership:

- 1. Three community members from the Wooddale neighborhood
- 2. Two community members at large
- 3. One resource person from the Park and Recreation Department (Rick Jacobson)
- 4. One resource person from the School District (Donald Pryor)
- 5. One staff person to the committee supplied by the City administration (Ceil Smith).



NOTICE OF COMPLETION OF PROCEEDINGS
OF VACATION OF EASEMENT FOR UTILITY PURPOSES
IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on July 7, 1980, adopted a Resolution Vacating Utility Easement, after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for utility purposes, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

The East 5 feet of Lot 11, Block 3, "Edenbrook", except as to the North 5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edenbrook", except as to the North 5 feet thereof; also known as

The five feet on each side of the lot line dividing Lot 11 and Lot 12, Block 3, "Edenbrook" which lies South of the North five feet of Lots 11 and 12;

Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

The time of completion of proceedings and the effective date of said vacation is July 8, 1980.

Dated this 23rd day of July, 1980.

BY ORDER OF THE CITY COUNCIL CITY OF EDINA

Florence B. Hallberg

City Clerk, City of Edina

EL-1777-PEN VOL 2003_PAGE_ 603877

COBA

OFFICE OF THE REGISTRAR
OF TITLES
HENNEPIN COUNTY. MINNESOTA
CERTIFIED FILED ON

SEP 29 1980

R. Den Carlon Ge AN

REGISTRAR OF TITLES

DEPUTY

Return So: Dorsey Law Form 2300 ET North Bank MPLS MN 55343. MPLS MN 55343. July 23, 1920

Nr. Thomas S. Erickson 2400 First National Bank Bldg. Minneapolis, NN 55402

Daar Tom:

Enclosed herewith is Notice of Completion of Proceedings for easement located in part of Lots 11 and 12, Block 3, Edenbrook, which was adopted by the Council on July 7, 1980.

Will you please see that this document is filed?

Yoursvvery truly,

City Clerk

enclosure

Don't call, but I left message with Erickson's office, that this was okay with us. Vacation by City to proceed on 7-7-80 Tod Tom's office to check with you it message question or legal	
For John Soffman golf	
Date 6-20-80 Time 8:37	
of	
Telephoned Returned your call	
Please call Often for here Checked but the legal Will call again Wants to see you	
Message Thease check out the	
we will be getting a	
new one back	

· /----

HC 4029 (4/79)

IN PROCEEDINGS SUBSEQUENT TO INITIAL REGISTRATION OF LAND

A - 19645

STATE OF MINNESOTA COUNTY OF HENNEPIN DISTRICT COURT . FOURTH JUDICIAL DISTRICT

In the Matter of the Petition of

THELMA M. WILLOUGHBY

ORDER TO SHOW CAUSE

in Relation to Certificate of Title
No. 524136 issued for land in
the County of Hennepin and State of
Minnesota and legally described as
follows:

Tract A, Registered Land Survey No. 5

TO: THE CITY OF EDINA:

TO: MINNESOTA GAS COMPANY:

TO: NORTHERN STATES POWER COMPANY:

TO: NORTHWESTERN BELL TELEPHONE COMPANY:

TO: MICHAEL L. HOKE and VONNIE L. LOWMAN, husband and wife:

Upon receiving and filing the Report of the Examiner of Titles in the above entitled matter,

IT IS ORDERED, that you, and all persons interested, appear before this Court on the 1st day of July , 19 80 , at 2:00 P.M. in Room A 702 of the Hennepin County Government Center in said County, and then, or as soon thereafter as said matter can be heard, show cause, if any there be, why this Court should not enter an Order as follows:

That the Registrar of Titles, upon the filing with him of a certified copy of this Order, show by memorial upon Certificate of Title No. 524136 that the public utility easement created by Deed Document No. 329498 be and the same hereby is terminated as to that part of said easement which lies within 5 feet of each side of the lot line separating Lots 11 and 12, Block 3, "Edinbrook", except as to the North 5 feet thereof, and that in future Certificates of Title he omit the recital now contained in the body of Certificate of Title No. 524136, relative to Document No. 329498 and omit the memorial of this Order and in lieu thereof insert in the body said future Certificates of Title the following recital:



Subject to a perpetual easement measuring in 5 feet from all rear and side lines of Lots 8 to 13, "Edinbrook" for the benefit of any public utility company desiring to install and maintain its equipment, poles, wires, pipes and conduits as contained in Deed Doc. No. 329498, files of the Registrar of Titles, but free from the utility easements contained therein which are located 5 feet on each side of the lot line dividing Lots 11 and 12, Block 3, "Edinbrook" and which lie South of the North 5 feet of said Lots 11 and 12.

IT IS FURTHER ORDERED, that this Order be served: (a) at least 10 days prior to such hearing upon the above named parties residing in this State in the manner provided by law for the service of Summons in a civil action; (b) it shall be served at least 14 days prior to such hearing upon any of the above named non-residents by sending a copy of this Order to such non-resident at his post office address, by registered or certified mail, return receipt; (c) it shall be served upon any party who cannot be found by two weeks published notice and by sending a copy of this Order at least 14 days prior to the hearing by first class mail to such party at his last known address and by sending another copy of this Order at least 14 days prior to the hearing by first class mail to his address as stated on the Certificate of Title if an address is so stated.

Approved:	Richard W. Edblom Examiner of Titles	Dated:	June 18		19	80	_'
ву <u></u> <i>S</i> / Н.	GERALD FLOREN Deputy Examiner	By S/ A.	PAUL	Loumen		OGE	_

RICHARD H. PORTER

700 Foshay Tower, Minneapolis, MN 55402

Address

Attendance is not required at said time except to object to the entry of the above described Order. Altorneys at Law.

RICHARD H. PORTER

700 FOSHAY TOWER
MINNEAPOLIS, MINN. 55402
TELEPHONE: 333-4548
AREA CODE 612
RESIDENCE: 926-0000

May 29, 1980

Mr. Fran Hoffman City Engineer City of Edina 4801 W. 50th Street Edina, Minnesota 55424

Re: Tract "A" Registered Land Survey No. 5

Pursuant to our telephone conversation of today's date, you will find enclosed herewith a xerox copy of the Petition Subsequent to Initial Registration of Thelma M. Willoughby regarding the above referenced land. This Petition has been filed with the District Court of Hennepin County, File No. A-19645.

You will also find enclosed herewith a xerox copy of a Plat Drawing, which indicates the problem with the easement as set forth in the Petition.

You will also find enclosed herewith two copies of a Consent form. As I discussed with you on the telephone, this property was originally platted in 1950, and was re-surveyed in 1951, at which time the easement was, unfortunately, not formally abandoned. Shortly thereafter, a dwelling was erected on Tract "A" RLS No. 5, as can be seen by the plat drawing enclosed herewith. The easement for the easterly side lot line of Lot 11, and the westerly side lot line of Lot 12, now runs through the bedroom of the dwelling.

This property has been sold, but the Title Company is insisting that the above problem be rectified prior to closing of the sale. Our office would really appreciate it if you would expedite this matter as much as possible.

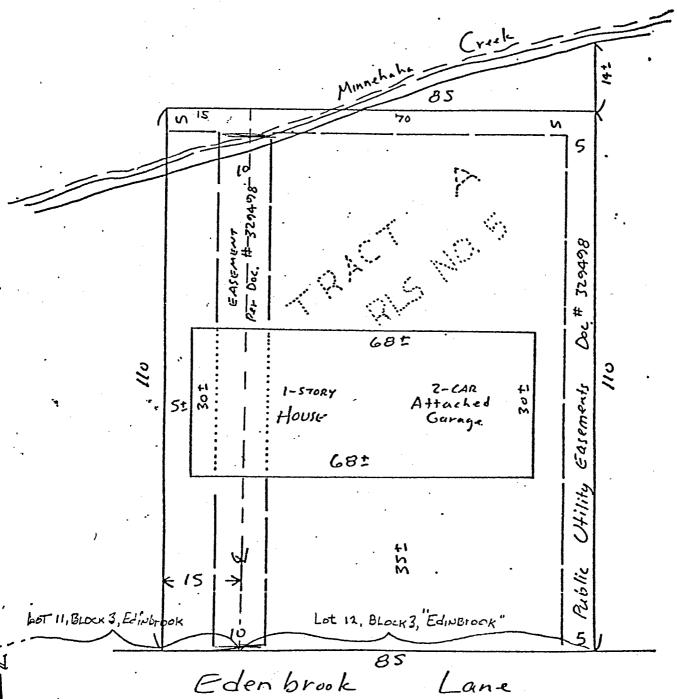
After your engineering department has had a chance to examine the records to verify that this easement as to the portion thereof described in the WHEREFORE clause of the Petition has in fact been abandoned, please have an authorized officer sign one copy of the enclosed Consent Form, have it properly acknowledged, and return it to me as soon as possible. You may retain one copy of the Consent, the Plat Drawing and the copy of the Petition for your files.

If there is any further information or documentation that you require, please do not hesitate to contact me immediately so that this matter can be concluded rapidly.

Thank you for your anticipated cooperation.

RICHARD H PORTER

RHP/ln enclosures



STATE OF MINNESOTA

COUNTY OF HENNEPIN

DISTRICT COURT

FOURTH JUDICIAL DISTRICT

In the Matter of the Petition of

THELMA M. WILLOUGHBY

PETITION SUBSEQUENT TO
INITIAL REGISTRATION

for an Order of the Court terminating a certain easement set forth in the Certificate of Torrens Title in Volume 1737, Certificate No. 524136.

TO THE HONORABLE DISTRICT COURT OF HENNEPIN COUNTY:

Comes now Thelma M. Willoughby and respectfully represents and shows to the Court as follows:

Τ.

That Petitioner is the fee owner of the real estate described in that certain Certificate of Torrens Title, filed in Volume 1737, Certificate No. 524136, in the Office of the Registrar of Titles of Hennepin County, Minnesota.

II.

That there appears on said Certificate of Torrens Title a memorial as follows:

That certain perpetual easement granted in Document No. 329498 which was filed of record on the 5th day of December, 1950, granting an easement as to the following described property to wit:

Lots Seven, (7), through Fourteen, (14), inclusive,
Block Three (3), "Edinbrook", according to the survey and
Plat thereof on file and of record in the Office of the
Registrar of Titles within and for said Hennepin County
granting a perpetual easement measuring five (5) feet
from all rear and side lot lines for the benefit of any
public utility company desiring to install and maintain
its equipment, poles, wires, pipes and conduits.

III.

That the property was originally platted on the 13th of November, 1950, as Edinbrook, which plat is on file and of record in the office of the Registrar of Titles, and contains, among other land, Lots 11 and 12 in Block 3 "Edinbrook".

IV.

That the hereinbefore mentioned and described easement affects said Lots 11 and 12, Block 3, "Edinbrook".

٧.

That thereafter, the East 15 feet of Lot 11, and all of Lot 12, Block 3, "Edinbrook", Hennepin County, Minnesota, was resurveyed on the 4th day of September, 1951 as Tract "A" Registered Land Survey No. 5, Files of Registrar of Titles, Hennepin County, Minnesota.

VI.

That at the time of said resurvey, no provision was made for the formal abandonment of the hereinbefore mentioned easement as to Lots 11 and 12, Block 3, "Edinbrook", Hennepin County, Minnesota; that as a result thereof, the five foot easement on the easterly side lot line of Lot 11, Block 3, "Edinbrook", and the 5 foot easement on the westerly side lot line of Lot 12, Block 3, "Edinbrook", which easements abut each other and result in a 10 foot easement, still exists as of record with regard to said Tract "A", Registered Land Survey No. 5.

VII.

That for many years a dwelling has been situated on said Tract "A", Registered Land Survey No. 5, through which said 10 foot easement passes.

VIII.

That said easement has been abandoned as to the East five feet of Lot 11, Block 3, Edinbrook, except as to the North 5 feet thereof, and said easement has been abandoned as to the West five feet of Lot 12, Block 3, Edinbrook, except as to the North 5 feet thereof.

WHEREFORE, Petitioner prays for an Order as follows:

1. That the Registrar of Titles show by memorial on said Certificate of Torrens Title, Volume 1737, Certificate No. 524136, that the easement created by Document No. 329498, be and is terminated as to that part of said easement described as follows, to wit:

The East 5 feet of Lot 11, Block 3, "Edinbrook", except as to the North 5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edinbrook", except as to the North 5 feet thereof.

 For such other and further relief as to the Court may seem just and equitable.

May 29, 1980

Melnu M. Willowskie Willowskie Willoughey

APPROVED:

Examiner of Titles

STATE OF MINNESOTA)

SS.

COUNTY OF HENNEPIN)

THELMA M. WILLOUGHRY, being first duly sworn upon oath deposes and says that she is the same person who is the Petitioner, named in the foregoing Petition; that said Petition is true of her own knowledge, except as to those matters therein stated on information and belief, and as to such matters she believes it to be true.

THELMA M. WILLOUGHBY, Petitioner

Subscribed and sworn to before me this 29th day of May, 1980.

SAMUEL SALITERMAN

Notary Public, Hennepin County, Minn. My Commission expires May 7, 1987.

(NOTARIAL SEAL)

SAMUEL SALITERMAN

Attorney for Petitioner

700 Foshay Tower

Minneapolis, Minnesota 55402

Telephone: 333-4548

I also known as! The Five Feet on each side of
the lot line vividing Lot 1/8 Lot/2,
Block 3, "Elinbrook" which lies
south of the north five Feet of Lots 11 and 12 Pratis now focated in Tract A" S R. L. S. No. S, Hennepin County, Monnesta

COINTY	OF	HENNEPIN

FOURTH JUDICIAL DISTRICT

,		FOURTH SUDICIAL DISTRICT
		FILE NO. A-19645
	t.	•
In the Matter of the Petition of	t.	
	t	
THELMA M. WILLOUGHBY	7.	
	t	, •
for an Order of the Court	T	
terminating a certain easement set	t	CONSENT
forth in the Certificate of Torrens	₹.	
Title in Volume 1737, Certificate	t,	<u>of</u>
No. 524136.	۲.	
	K.	CITY OF EDINA

TO THE HONORABLE DISTRICT COURT OF HENNEPIN COUNTY:

The Undersigned hereby consents to an Order of the Court directing the Registrar of Titles to enter a memorial on Certificate of Torrens Title, Volume 1737, Certificate No. 524136, covering the following described property, to wit:

Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota

declaring that the perpetual easement created by Document No. 329498, which was filed of record on the 5th day of December 1950, in the Office of the Register of Deeds of Hennepin County, be abandoned and terminated as to that part of said easement described as follows, to wit:

The East 5 feet of Lot 11, Block 3, "Edinbrook", except as to the North 5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edinbrook", except as to the North 5 feet thereof.

CITY OF EDINA

STATE OF MINNESOTA)	BY:	
COUNTY OF)		Its
I, the undersigned, a Notary Pub	lic in and for said County of	, State of
Minnesota, do hereby certify tha	t,	personally
known to me to be the same person	n whose name is subscribed to the	foregoing
instrument as the	of the Cit	y of Edina,
named in the foregoing instrumen and acknowledged that he signed,	t, appeared before me this day in sealed and delivered said instru	person
therein set forth, and acknowled	foregoing instrument, for the use ged that said instrument was sign authority of its governing body,	ed and sealed
Given under my hand and seal this	s day of, 1980.	
(NOTARIAL SEAL)	Notary Public, County of My Commission expires	, Minn

HC 4029(4/79)

Level 6/18/80 4:25 pm no

IN PROCEEDINGS SUBSEQUENT TO INITIAL REGISTRATION OF LAND

A - 19645

STATE OF MINNESOTA COUNTY OF HENNEPIN

DISTRICT COURT . FOURTH JUDICIAL DISTRICT

In the Matter of the Petition of THELMA M. WILLOUGHBY

ORDER TO SHOW CAUSE

in Relation to Certificate of Title
No. 524136 issued for land in
the County of Hennepin and State of
Minnesota and legally described as
follows:

Tract A, Registered Land Survey No. 5

TO: THE CITY OF EDINA:

TO: MINNESOTA GAS COMPANY:

TO: NORTHERN STATES POWER COMPANY:

TO: NORTHWESTERN BELL TELEPHONE COMPANY:

TO: MICHAEL L. HOKE and VONNIE L. LOWMAN, husband and wife:

Upon receiving and filing the Report of the Examiner of Titles in the above entitled matter,

IT IS ORDERED, that you, and all persons interested, appear before this Court on the 1st day of July , 19 80 , at 2:00 P.M. in Room A 702 of the Hennepin County Government Center in said County, and then, or as soon thereafter as said matter can be heard, show cause, if any there be, why this Court should not enter an Order as follows:

That the Registrar of Titles, upon the filing with him of a certified copy of this Order, show by memorial upon Certificate of Title No. 524136 that the public utility easement created by Deed Document No. 329498 be and the same hereby is terminated as to that part of said easement which lies within 5 feet of each side of the lot line separating Lots 11 and 12, Block 3, "Edinbrook", except as to the North 5 feet thereof, and that in future Certificates of Title he omit the recital now contained in the body of Certificate of Title No. 524136, relative to Document No. 329498 and omit the memorial of this Order and in lieu thereof insert in the body said future Certificates of Title the following recital:

Subject to a perpetual easement measuring in 5 feet from all rear and side lines of Lots 8 to 13, "Edinbrook" for the benefit of any public utility company desiring to install and maintain its equipment, poles, wires, pipes and conduits as contained in Deed Doc. No. 329498, files of the Registrar of Titles, but free from the utility easements contained therein which are located 5 feet on each side of the lot line dividing Lots 11 and 12, Block 3, "Edinbrook" and which lie South of the North 5 feet of said Lots 11 and 12.

IT IS FURTHER ORDERED, that this Order be served: (a) at least 10 days prior to such hearing upon the above named parties residing in this State in the manner provided by law for the service of Summons in a civil action; (b) it shall be served at least 14 days prior to such hearing upon any of the above named non-residents by sending a copy of this Order to such non-resident at his post office address, by registered or certified mail, return receipt; (c) it shall be served upon any party who cannot be found by two weeks published notice and by sending a copy of this Order at least 14 days prior to the hearing by first class mail to such party at his last known address and by sending another copy of this Order at least 14 days prior to the hearing by first class mail to his address as stated on the Certificate of Title if an address is so stated.

Approved:	Richard W. Edblom	Dated:	June 18		19_	8
	Examiner of Titles		_			
By H</th <td>GERALD ELOREN</td> <td>By S/A</td> <td>PAUL</td> <td>Loumen</td> <td></td> <td></td>	GERALD ELOREN	By S/A	PAUL	Loumen		

RICHARD H. PORTER

700 Foshay Tower, Minneapolis, MN 55402

Address

Deputy Examiner

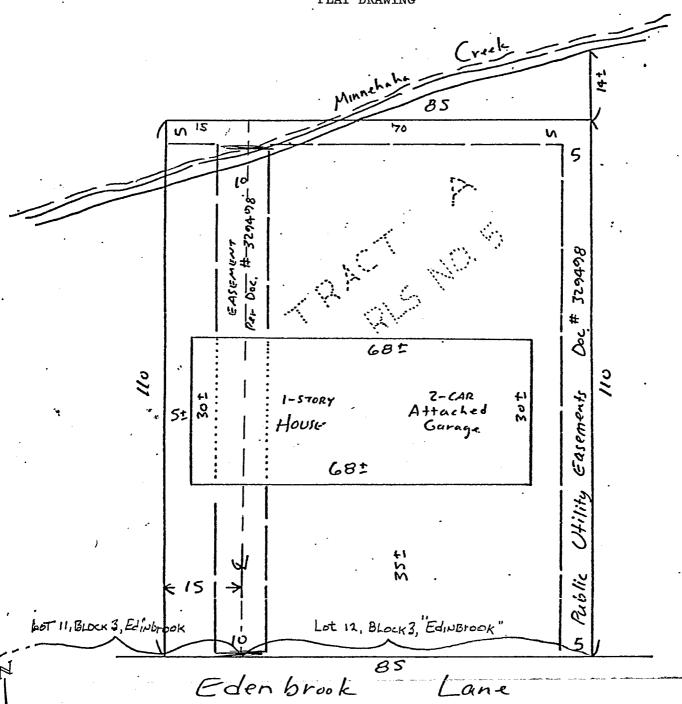
Attendance is not required at said time except to object to the entry of the above described Order.

JUDGE

CITY OF EDINA

PUBLIC RIGHT-OF-WAY VACATION APPLICATION

	Da	te Initiated 6-10-80	
	1)	I hereby petition the City Councedescribed public right-of-way:	il of the City of Edina to vacate all of the following
		Street	Alley Utility Easement
		Drainage Easement	Other(describe)
	Des	cription of area proposed to be v	acated:
The		•	nbrook", except as to the North 5 feet thereof, and the
			ok", except as to the North 5 feet thereof. Also known
as:		· · · · · · · · · · · · · · · · · · ·	of Lots 11 & 12. That is now located in Tract "A" R.L.S
	-	Hennepin County, Minnesota. ach copy of scaled drawing showin	Signature RICHARD H. PORTER Address 700 Foshay Tower, Mpls., MN 55402 Telephone 333-4548
		CITY ENGINEER by Conditions	Acceptable Opposed Conditional
		MINNEGASCO by Conditions	Acceptable Opposed Conditional
4		N.W. BELL by Conditions	Acceptable Opposed Conditional
		N.S.P. by	Acceptable Opposed Conditional
		Conditions	



STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

AFFIDAVIT OF POSTING NOTICE OF HEARING

The East 5 feet of Lot 11, Block 3, "Edenbrook", except as to the North 5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edenbrook", except as to the North 5 feet thereof; also known as

The five feet on each side of the lot line dividing Lot 11 and Lot 12, Block 3, "Edenbrook" which lies South of the North five feet of Lots 11 and 12;

Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

The undersigned, being first duly sworn, upon oath deposes and says that he is a duly appointed and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on June 20, 1980, he posted the Notice of Hearing on street vacation above described to be held on July 7, 1980, a true and correct copy of which is hereto attached, at each of the following official City Bulletin Boards located at conspicuous places within the City in a manner likely to attract attention:

One at Edina City Hall, 4801 W. 50th Street
One at 50th and France Business Area - 3922 W. 50th Street
One at Amundson Avenue Shopping Center - Northwest corner
of Parking Lot

Police Patrolman

Dated

Subscribed and sworn to before me this day of , 19

Notary Public, Hennepin County, Minnesota My commission expires:

(Notorial Seal)

STATE OF MINNESOTA)	
COUNTY OF HENNEPIN)	SS
CITY OF EDINA)	

AFFIDAVIT OF POSTING NOTICE OF HEARING ON VACATION OF EASEMENT(S) FOR PURPOSES OF Utilities

The undersigned, being first duly sworn, upon oath deposes and says that he is the qualified and acting Police Patrolman for the City of Edina, Hennepin County, Minnesota, and that on June 23, 19,80, he posted the notice of hearing on vacation of easement(s) to be held on July 7, 19,80, a true and correct copy of which is hereto attached, at each of the following public and conspicuous places within the City in a manner likely to attract attention:

1. City Hall, 4801 W. 50th Street 2. 50th & France Business Area, 3922 W. 50th Street 3. Amundson Avenue Shopping Center.

Said easement(s) being described as follows:

The East 5 feet of Lot 11, Block 3, "Edenbrook", except as to the North 5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edenbrook", except as to the North 5 feet thereof; also known as

The five feet on each side of the lot line dividing Lot 11 and Lot 12, Block 3, "Edenbrook" which lies South of the North five feet of Lots 11 and as;

Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

Julia M Julian

Police Patrolpian

Subscribed and sworn to before me, this _______, 19______, 19_______,

Notary Public, Hennepin County, Minnesota

My commission expires:

CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON VACATION OF EASEMENT FOR UTILITY PURPOSES IN THE CITY OF EDINA COUNTY OF HENNEPIN, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, on July 7, 1980, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following easement for utility purposes:

The East 5 feet of Lot 11, Block 3, "Edenbrook", except as to the North 5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edenbrook", except as to the North 5 feet thereof; also known as

The five feet on each side of the lot line dividing Lot 11 and Lot 12, Block 3, "Edenbrook" which lies South of the North five feet of Lots 11 and 12;

Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

DATED this 20th day of June, 1980.

BY ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by	Acceptable Opposed Conditional
CONDITIONS	
MINNEGASCO by	Acceptable Opposed Conditional
CONDITIONS	
NORTHWESTERN BELL by	Acceptable Opposed Conditional
N.S.P. by Dich Muller CONDITIONS	Acceptable Opposed Conditional
LOCATION	

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON VACATION OF EASEMENT FOR UTILITY PURPOSES IN THE CITY OF EDINA COUNTY OF HENNEPIN, MINNESOTA

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Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

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DATED this 20th day of June, 1980.

BY ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by_		Acceptable	Opposed	Conditional
CONDITIONS	•			
MINNEGASCO by		Acceptable	Opposed	Conditional
CONDITIONS	• .			
NORTHWESTERN BEIL	by & E Suelon 1	Acceptable	Opposed	Conditional
CONDITIONS				
N.S.P. by		Acceptable	Opposed	Conditional
CONDITIONS				
				•
LOCATION	· · ·		•	

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE



CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON VACATION OF EASEMENT FOR UTILITY PURPOSES IN THE CITY OF EDINA COUNTY OF HENNEPIN, MINNESOTA

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The five feet on each side of the lot line dividing Lot 11 and Lot 12, Block 3, "Edenbrook" which lies South of the North five feet of Lots 11 and 12:

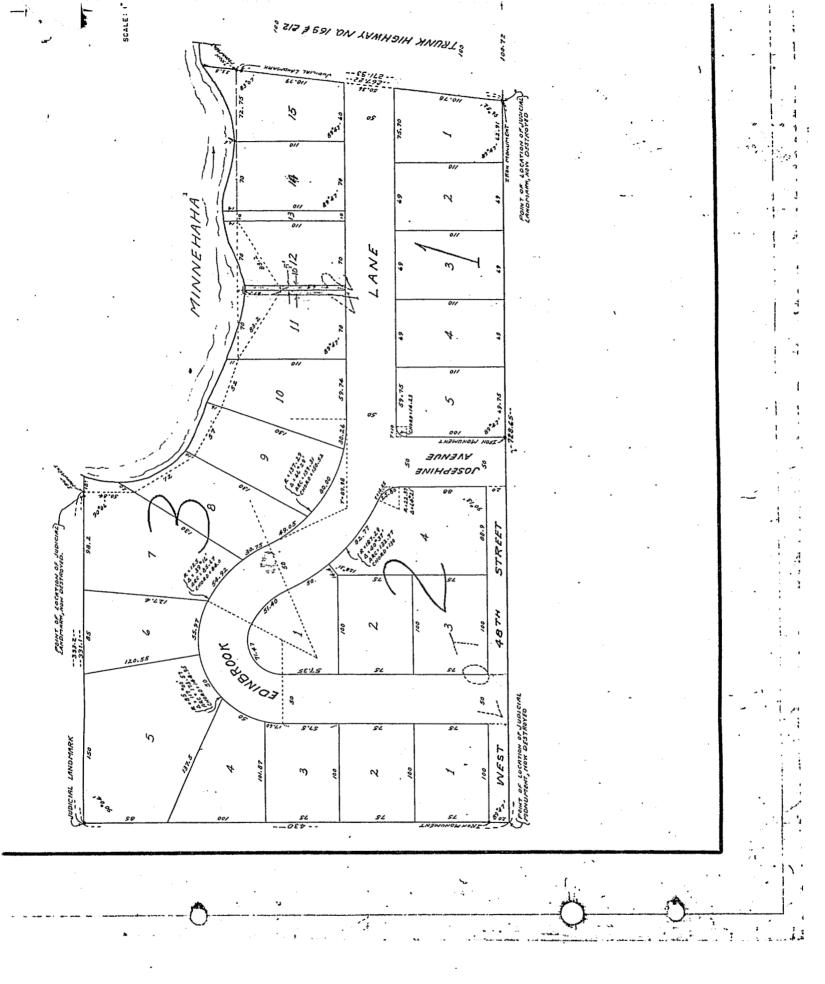
Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

DATED this 20th day of June, 1980.

BY ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk



STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by	Acceptable Opposed Conditional
CONDITIONS	
MINNEGASCO DE TO John 4/25/80	Acceptable Opposed Conditional
CONDITIONS	
NORTHWESTERN BELL by	Acceptable Opposed Conditional
CONDITIONS	
N.S.P. by	Acceptable Opposed Conditional
CONDITIONS	
LOCATION	

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON VACATION OF EASEMENT FOR UTILITY PURPOSES IN THE CITY OF EDINA COUNTY OF HENNEPIN, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, on July 7, 1980, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following easement for utility purposes:

The East 5 feet of Lot 11, Block 3, "Edenbrook", except as to the North 5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edenbrook", except as to the North 5 feet thereof; also known as

The five feet on each side of the lot line dividing Lot 11 and Lot 12, Block 3, "Edenbrook" which lies South of the North five feet of Lots 11 and 12;

Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

DATED this 20th day of June, 1980.

BY ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk



AFFIDAVIT OF PUBLICATION EDINA SUN

7401 Bush Lake Road

State of Minnesota **County of Hennepin**

commission expires July 2, 1986

(Official Publication)
CITY OF EDINA
4891 W. SOTH STREET
EDINA, MINNESOTA 5524
NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT
FOR UTILITY PURPOSES IN THE
CITY OF EDINA
COUNTY OF HENNEPIN,
MINNESOTA
NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hail, 4601 W. Soth Street, on July 7, 1896, at 7:00
o'clock p.m., for the purpose of holding; a public hearing on the proposed vacation of the following easement for utility purposes:

The East 5 feet of Lot 11, Block 3, "Edenbrook", except as to the North 5 feet thereof; also known as The five feet on eash side of the lot line dividing Lot 11 and Lot 12, Block 3, "Eddenbrook" which lies South of the North five feet of Lots 11 and 12; Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation in affects the authority of any person, corporation or municipality owning or controlling electric or telephone poles and lines, gas and sever lines, or water pipes, mains and hydraut on or under the authority of any person, corporation or portion thereotic and the extent to which such proposed easement vacation to continue maintaining the same or to enter upon such pleament area or portion thereotic and to maintain, repair, replace, reasone, or otherwise attend thereto, for the purpose of specifying, in any sach vacation to continue maintaining the same or to enter upon the area of the proposed vacation to continue maintain and to enter upon the area of the proposed vacation such authority to maintain, and to enter upon the area of the proposed vacation and the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed v D. K. MORTENSON, being duly sworn, on oath says he is and during all times here stated has been the vice president and general manager of the newspaper know as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once every week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisement. (4) Said newspaper is circulated in and near the municipalities which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Edina in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9 D. K. MORTENSON, being duly sworn, on oath says he is and during all times here stated has been the

He further states on oath that the printed Notice Of Public Hearing hereto attached as a part hereof was cut from the columns of said newspaper, and was printed
and published therein in the English language, once each week, for $rac{T\check{ exttt{WO}}}{ exttt{O}}$ successive weeks;
that it was first so published on Wed, the 18 day of June, 19 80
and was thereafter printed and published on every Wednesday to and including
Wed. the 25 day of June, 19 80 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit: abcdefghijklmnopgrstuvwxyz B- X. Modenson
Subscribed and sworn to before me this 25 day of June, 19 80
Meidel & Ded beam
MERIDEL M. HEDBLOM NOTARY PUBLIC - MINNESOTA HENNEPIN COUNTY



AFFIDAVIT OF PUBLICATION **EDINA SUN**

7401 Bush Lake Road

Edina, Minnesota

CIL FLORENCÈ B. HALLBERG City Clerk City (June 18 & 25, 1980) -ED

State of Minnesota **County of Hennepin**

(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT
FOR UTILITY PURPOSES IN THE
CITY OF EDINA
COUNTY OF HENNEPIN,
MINNESOTA
NOTICE IS HEREBY GIVEN that
the City Council of the City of Edina,
Hennepin County, Minnesota, will
meet at the Edina City Hall, 4801 W.
50th Street, on July 7, 1980, at 7:00
o'clock p.m., for the purpose of holding a public hearing on the proposed
vacation of the following easement
for utility purposes:

The East 5 feet of Lot 11, Block
3, "Edenbrook", except as to the
North 5 feet thereof, and the West
5 feet of Lot 12, Block 3, "Endenbrook", except as to the North 5
feet thereof; also known as
The five feet on eash side of the
lot line dividing Let 11 and Lot 12,
Block 3, "Edenbrook," which lies
South of the North five feet of
Lots 11 and 12;
Said parcel now being located
in Tract "A", Registered Land
Survey No. 5, Hennepin County,
Minnesota.
All persons who desire to be heard
with respect to the question of whether or not the above proposed easement vacation is in the public interest
and should be made shall be heard at
said time and place. The Council shall
consider the extent to which such
proposed easement vacation affects
existing easements within the area of
the proposed vacation and the extent
to which the vacation affects the
authority of any person, corporation
or municipality owning or controlling
electric or telephone poles and lines,
gas and sewer lines, or water pipes,
mains and hydrants on or under the
area of the proposed vacation to continue maintaining the same or to
enter upon such easement area or
portion thereof vacated to maintain,
repair, replace, remove, or otherwise
attend thereto, for the purpose of
specifying, in any such vacation resolution, the extent to which any or all
of any such easements, and such
of any such easement area or
portion thereof vacated to maintain,
repair, replace, remove, or otherwise
attend thereto, for the purpose of
specifying, in any such vacation D. K. MORTENSON, being duly sworn, on oath says he is and during all times here stated has been the vice president and general manager of the newspaper know as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper. vice president and general manager of the newspaper know as the Endias unit and has this knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a weekly and is distributed at least once every week. (3) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisement. (4) Said newspaper is circulated in and near the municipalities which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Edina in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper is made available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making the applicable payment. (8) Said newspaper has complied with all foregoing conditions for at least one year preceding the day or dates of publication mentioned below. (9) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and e

He further states on oath that the printed Notice Of Public Hearing
hereto attached as a part hereof was cut from the columns of said newspaper, and was printed
and published therein in the English language, once each week, for $\frac{T_{WO}}{}$ successive weeks;
that it was first so published on Wed. the law of June, 19 80
and was thereafter printed and published on everyto and including
Wed. the 25 day of June, 19 80 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit: abcdefghijklmnopqrstuvwxyz
D. K. Modenson
Subscribed and sworn to before me this day of June 80
Meridel 9D. Hed blam
MERIDEL M. HEDBLOM: NOTARY PUBLIC - MINNESOTA HENNEPIN COUNTY

STATE OF MINNESOTA)	
COUNTY OF HENNEPIN) SS.	CERTIFICATE OF MAILING NOTICE
CITY OF EDINA)	
of the City of Edina, Minnesota, her	he duly qualified acting City Clerk eby certify that on the following
date June 20, 1980 , 19 City I deposited in the United State	, acting on behalf of said
PUBLIC: HEARING ON EASEMENT VACATION -	
(Exhibit A), enclosed in sealed enve	lopes, with postage thereon duly
prepaid, addressed to the persons at	the addresses as shown on the mailing
list (Exhibit B) attached to the ori	ginal hereof, which list is on file
in my office, said persons being the	se appearing on the records of the
	erty listed opposite their respective days prior to the date of the hearing;
and that I also sent said notice to	
	s exempt from taxation and is therefore
not carried on the records of said C	
Name	4.55
teams	Address
	The second secon
WITNESS my hand and the sea	
day of, 19,	80
• .	florence D. Hallers
	Edina City Clerk O

NOTICE OF PUBLIC HEARING ON VACATION OF EASEMENT FOR UTILITY PURPOSES IN THE CITY OF EDINA COUNTY OF HENNEPIN, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, on July 7, 1980, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following easement for utility purposes:

The East 5 feet of Lot 11, Block 3, "Edenbrook", except as to the North 5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edenbrook", except as to the North 5 feet thereof; also known as

The five feet on each side of the lot line dividing Lot 11 and Lot 12, Block 3, "Edenbrook" which lies South of the North five feet of Lots 11 and 12;

Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

DATED this 20th day of June, 1980.

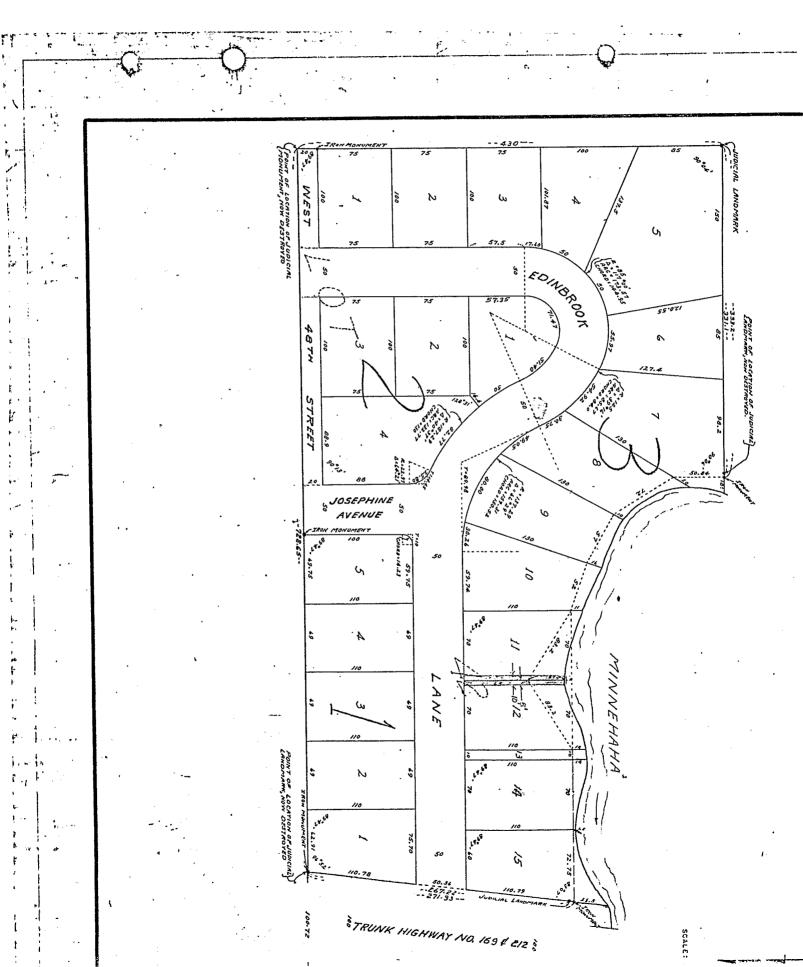
BY ORDER OF THE CITY COUNCIL

Mailing Lise Notice of Public Hearing Careners Vacacia Lots 1/4/2 Dl 3 Edenbuck (Track A, R I S 5) Mrs. Theema M. Willaughder 5450 M. Ocean Bendapt 32 It Landerdale fl 33308 M. Lynn Hoke/Vonnie Lohman 5008 Colembrack La- 55436
Richard H. Pouter - 700 Joshey Tower 55402

M. S. P.

Mpla, Das Co.

M. W. Bell Teleplone Co.



NOTICE OF PUBLIC HEARING ON VACATION OF EASEMENT FOR UTILITY PURPOSES IN THE CITY OF EDINA COUNTY OF HENNEPIN, MINNESOTA

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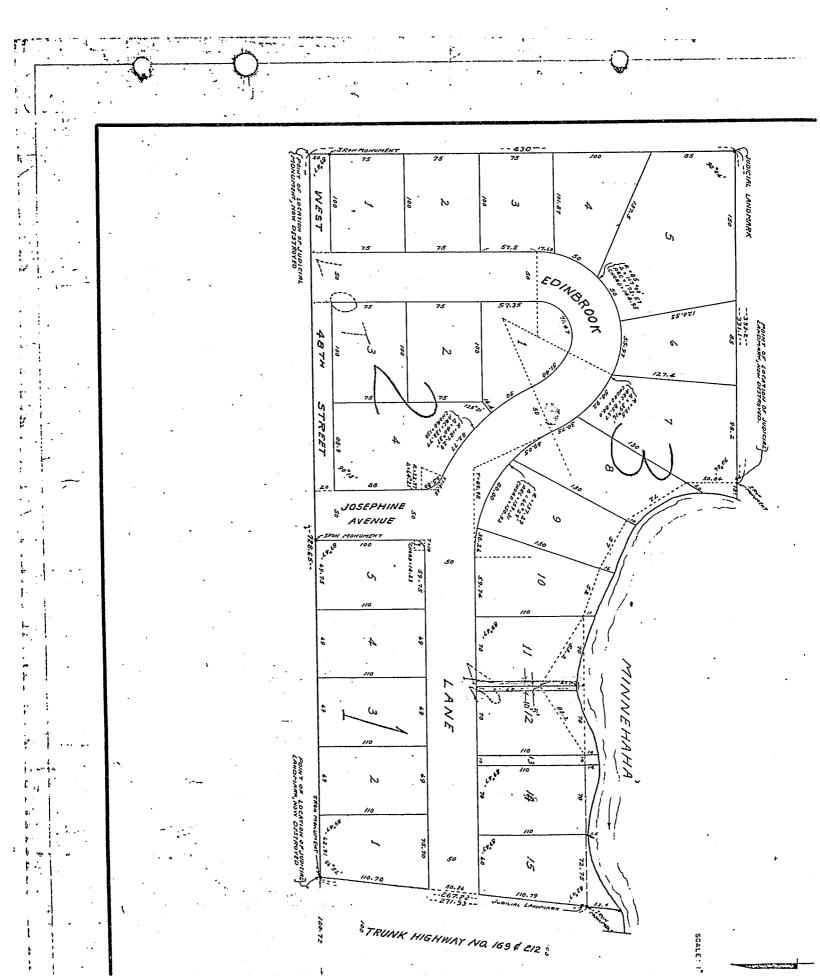
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BY ORDER OF THE CITY COUNCIL

Florence B. Hallberg, City Clerk

Please publish in the Edina Sun on June 18 and 25, 1980. Please send us two Affidavits of Publication.



June 19, 1980

Mr. Thomas S. Erickson 2400 First National Bank Bldg. Minneapolis, NN 55402

Dear Tom:

Enclosed herewith is Order to Show Cause in Proceedings Subsequent to Initial Registration of Land A-19645 which was served on me yesterday.

This is in regard to the same property for which we have the easement vacation hearing date set for July 7, 1980.

As we discussed by telephone, I will leave this easement vacation on the July 7 agenda unless I hear from you further.

Yours very truly,

City Clerk

enclosure

Courtesy Gordon Hughes

#HC 4029(4/79)

Hered 6/18/80 4:25 pm no

IN PROCEEDINGS SUBSEQUENT TO INITIAL REGISTRATION OF LAND

A - 19645

STATE OF MINNESOTA COUNTY OF HENNEPIN

DISTRICT COURT FOURTH JUDICIAL DISTRICT

In the Matter of the Petition of

THELMA M. WILLOUGHBY

ORDER TO SHOW CAUSE

in Relation to Certificate of Title No. 524136 issued for land in the County of Hennepin and State of Minnesota and legally described as follows:

Tract A, Registered Land Survey No. 5

TO: THE CITY OF EDINA:

TO: MINNESOTA GAS COMPANY:

TO: NORTHERN STATES POWER COMPANY:

TO: NORTHWESTERN BELL TELEPHONE COMPANY:

TO: MICHAEL L. HOKE and VONNIE L. LOWMAN, husband and wife:

Upon receiving and filing the Report of the Examiner of Titles in the above entitled matter,

IT IS ORDERED, that you, and all persons interested, appear before this Court on the <u>lst</u> day of <u>July</u>, 19 80, at 2:00 P.M. in Room A 702 of the Hennepin County Government Center in said County, and then, or as soon thereafter as said matter can be heard, show cause, if any there be, why this Court should not enter an Order as follows:

That the Registrar of Titles, upon the filing with him of a certified copy of this Order, show by memorial upon Certificate of Title No. 524136 that the public utility easement created by Deed Document No. 329498 be and the same hereby is terminated as to that part of said easement which lies within 5 feet of each side of the lot line separating Lots 11 and 12, Block 3, "Edinbrook", except as to the North 5 feet thereof, and that in future Certificates of Title he omit the recital now contained in the body of Certificate of Title No. 524136, relative to Document No. 329498 and omit the memorial of this Order and in lieu thereof insert in the body said future Certificates of Title the following recital:

Subject to a perpetual easement measuring in 5 feet from all rear and side lines of Lots 8 to 13, "Edinbrook" for the benefit of any public utility company desiring to install and maintain its equipment, poles, wires, pipes and conduits as contained in Deed Doc. No. 329498, files of the Registrar of Titles, but free from the utility easements contained therein which are located 5 feet on each side of the lot line dividing Lots 11 and 12, Block 3, "Edinbrook" and which lie South of the North 5 feet of said Lots 11 and 12.

IT IS FURTHER ORDERED, that this Order be served: (a) at least 10 days prior to such hearing upon the above named parties residing in this State in the manner provided by law for the service of Summons in a civil action; (b) it shall be served at least 14 days prior to such hearing upon any of the above named non-residents by sending a copy of this Order to such non-resident at his post office address, by registered or certified mail, return receipt; (c) it shall be served upon any party who cannot be found by two weeks published notice and by sending a copy of this Order at least 14 days prior to the hearing by first class mail to such party at his last known address and by sending another copy of this Order at least 14 days prior to the hearing by first class mail to his address as stated on the Certificate of Title if an address is so stated.

Approved:	Richard W. Edblom Examiner of Titles	Dated:	June 18	•	19 80)
By -5/ H.	GERALD FLOREN	By S/A	1. Paul	Loumen		٠
	Deputy Examiner				JUDGI	3

RICHARD H. PORTER

700 Foshay Tower, Minneapolis, MN 55402

Address

Attendance is not required at said time except to object to the entry of the above described Order.

Known 28! The Five Feet on each side of The lot line dividing Lot 1/8 Lot/2, Block 3, "Elinbrook" which lies south of the north Fire Feet of Lots 11 and 12 sais 62 6 cg, - Trace 'A" R LS nos- Henco Min

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FOURTH JUDICIAL DISTRICT

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	FILE NO. A-19645
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t.	CONSENT
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t.	CITY OF EDINA
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TO THE HONORABLE DISTRICT COURT OF HENNEPIN COUNTY:

The Undersigned hereby consents to an Order of the Court directing the Registrar of Titles to enter a memorial on Certificate of Torrens Title, Volume 1737, Certificate No. 524136, covering the following described property, to wit:

Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota

declaring that the perpetual easement created by Document No. 329498, which was filed of record on the 5th day of December 1950, in the Office of the Register of Deeds of Hennepin County, be abandoned and terminated as to that part of said easement described as follows, to wit:

The East 5 feet of Lot 11, Block 3, "Edinbrook", except as to the North 5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edinbrook", except as to the North 5 feet thereof.

CITY OF EDINA

STATE OF MINNESOTA)				
) ss.		Its		
COUNTY OF)				
I, the undersigned, a Notary Publ	lic in and for said County of	, State of		
Minnesota, do hereby certify that	t	personally		
known to me to be the same person	whose name is subscribed to the	foregoing		
	of the City of Edina,			
named in the foregoing instrument and acknowledged that he signed,	t, appeared before me this day in sealed and delivered said instru	person		
therein set forth, and acknowledge	foregoing instrument, for the use ged that said instrument was sign authority of its governing body,	ed and sealed		
Given under my hand and seal this	s day of, 1980.			
	<u> </u>			
(NOTARIAL SEAL)	Notary Public, County of	, Minn		
	My Commission expires	•		

NOTICE OF PUBLIC HEARING ON VACATION OF EASEMENT FOR UTILITY PURPOSES IN THE CITY OF EDINA COUNTY OF HENNEPIN, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, on July 7, 1980, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following easement for utility purposes:

The East 5 feet of Lot 11, Block 3, "Edenbrook", except as to the North 5 feet thereof, and the West 5 feet of Lot 12, Block 3, "Edenbrook", except as to the North 5 feet thereof; also known as

The five feet on each side of the lot line dividing Lot 11 and Lot 12, Block 3, "Edenbrook" which lies South of the North five feet of Lots 11 and 12;

Said parcel now being located in Tract "A", Registered Land Survey No. 5, Hennepin County, Minnesota.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

DATED this 20th day of June, 1980.

BY ORDER OF THE CITY COUNCIL

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DATED this 20th day of June, 1980.

BY ORDER OF THE CITY COUNCIL

Phone Please call Telephoned Will call again 8457 Not 32 phent 1. Your Hoke Returned your cal. Wants to see you Stopped to see you 7330

Me'heel L Loke 925-2086 Mr. Rotter Vonnie L. Lousman 28-117-21-24-007

28-117-21-24-0072 922-5567 Warg #

CITY OF EDINA 4801 W. 50TH STREET EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON VACATION OF EASEMENT FOR UTILITY PURPOSES IN THE CITY OF EDINA
COUNTY OF HENNEPIN, MINNESOTA

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DATED this 20th day of June, 1980.

BY ORDER OF THE CITY COUNCIL

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EDINBROOK

KNOW ALL MEN BY THESE PRESENTS: That we, Richard B. Thomson and Evelyn V. Thomson, his wife, owners and proprietors of the following described property situate in the Gounty of Hennepin, State of Minnesota, to-wit: Lats Forty One (41) and Forty Two (42)
Auditor's Subdivision Number One Hundred Seventy Six (176), have caused the same to be surveyed and platted as EDINBROOK, and do hereby donate and dedicate to the public for the public use forever the Avenue, Street and Lane as shown on the annexed Plat. In witness whereof we have hereunto set our Hands and Seals on this 13 day of Manager 1950 A.D. In the presence of: STATE OF MINNESOTA S.S. On this 1 day of 1950 A.D. before me a Notary Public within and for said County and State, personally appeared Richard B. Thomson and Evelyn V. Thomson, his wife, to me personally known to be the persons described in and who executed the foregoing instrument, and said Richard B. Thomson and Evelyn V. Thomson, his wife, affirms and acknowledges SCALE: |" = 60 , that they executed the same as their own tree act and deed. STATE OF MINNESOTA S.S. I hereby certify that I have Surveyed and Platted the land described in the above dedication as EDINBROOK; that this Plat is a correct representation of said survey: that all distances are correctly shown on said Plat in figures denoting feet and decimals of a foot; that the monuments for the guidance of future surveys have been correctly placed in the ground as shown on said Plat; that the topography of the land is correctly shown on said Plat: that the outside boundaries of the land are correctly designated on said Plat: and that there are no wet lands or Public Highways to be designated on said Plat other than are shown thereon. Above certificate subscribed and sworn to before me, a Notary Public within and for said County and State LANE Notary Public, Hennepin County, Minnesota My Commission Expires This Plat was approved and accepted by the Village Council of the Village of Edina, Minnesota, at a regular meeting thereof held this Nov. 21 day of November 1950 A.D. STREET -- 728.65--TRY MONUMENT. IRON MONUMENT Village Council of the Village of Edina, Minnesota

August 8, 1980

Miss Barb Dulebohn Dorsey, Windworst et al 2400 First National Bank Bldg. Minneapolis, MN 55402

Dear Barb:

Enclosed as we discussed this morning, is a certified copy of the resolution vacating an easement in Lots 11 and 12, Block 3, Edenbrook.

Please call me if there is any problem.

Yours very truly,

City Clerk

enclosure (1)